

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MORGAN HOWARTH,  
Plaintiff,

v.

NICHE DESIGN INC. and NICHE MODERN  
LLC,

Defendants.  
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**ORDER**

23-CV-10439 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court has been informed that the Parties have reached a settlement in principle in this case. Accordingly, it is hereby **ORDERED** that this action is dismissed without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis. Any pending motions are DISMISSED as moot, and all conferences are CANCELED.

SO ORDERED:

Dated: White Plains, New York  
February 28, 2024



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Hon. Philip M. Halpern  
United States District Judge